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*Of Attorneys for Defendants*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MICHAEL A. GRAY,  
  
Plaintiff,

v.

H/O JARMER, *et al.*,  
  
Defendants.

Case No. 3:24-CV-01727-MC

DEFENDANTS' ANSWER TO  
PLAINTIFF'S COMPLAINT

For their answer to Plaintiff's Complaint, defendants Jerri Jarmer, Vera Pool, Brian Parks, Brett Russell, Ryan Garrick, Marcus Mason, Shawn Seals, Daniel Ruiz, Jarrod Croteau, Douglas Bloomster and Matthew Blanchard ("Defendants") admit, deny, and allege as follows:

1.

Defendants admit that, at all material times, Plaintiff was a pretrial detainee being held at Multnomah County Inverness Jail ("MCIJ") and Multnomah County Detention Center ("MCDC").

2.

Defendants admit that, at all material times, Defendants were employed by Multnomah County and acting within the official scope of their employment.

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3.

Defendants admit that, on February 19, 2023, Plaintiff covered his cell window at MCIJ with paper and disregarded orders by corrections staff to remove it. Defendants further admit that, after Plaintiff threatened to harm corrections staff and refused to comply with suicide watch protocols, a Correctional Emergency Response Team (“CERT”) entered Plaintiff’s cell, removed him from his bunk, secured him in restraints, and transported him to MCDC.

4.

Defendants admit that, on March 23, 2023, Plaintiff was in his cell at MCDC during his walk time, and that Plaintiff requested a wheelchair. Defendants further admit that corrections staff engaged in a use of force with Plaintiff in his cell after Plaintiff advanced towards corrections staff in defiance of orders to remain on his bunk and attempted to strike Defendant Douglas Bloomster.

5.

Defendants admit that Multnomah County corrections health staff provided Plaintiff medical treatment and care during his custody in MCIJ and MCDC.

6.

Defendants admit that Plaintiff filed grievances related to the claims made in the Complaint. Defendants further admit that Plaintiff submitted a Tort Claim Notice to Multnomah County, dated August 15, 2023.

7.

Except as specifically admitted herein, Defendants deny each and every remaining allegation in Plaintiff’s Complaint and the whole thereof.

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8.

**FIRST DEFENSE**

(Failure to State a Claim)

Plaintiff's Complaint fails to state a claim or claims upon which relief can be granted.

9.

**SECOND DEFENSE**

(Qualified Immunity)

Plaintiff's claims against individually named Multnomah County employees are barred by the doctrine of qualified immunity.

10.

**THIRD DEFENSE**

(Additional Defenses)

Defendants reserve the right to raise additional defenses that may become apparent during the course of discovery.

WHEREFORE, having fully answered Plaintiff's Complaint, Defendants pray that the Complaint be dismissed with prejudice, that judgment be entered in their favor, and for an award of costs, disbursements and fees pursuant to 42 U.S.C. § 1988.

DATED this 17th day of March, 2025.

Respectfully submitted,

JENNY M. MADKOUR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

/s/ Andrew T. Weiner

Andrew T. Weiner, OSB No. 115485  
Sr. Assistant County Attorney  
*Of Attorneys for Defendants*

### CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2025, I arranged to be served **DEFENDANTS' ANSWER TO PLAINTIFF'S COMPLAINT** on behalf of Defendants on all parties entitled to service at the following addresses:

Michael A. Gray, SID 6320545  
Oregon State Correctional Institution  
3405 Deer Park Drive SE  
Salem, Oregon 97310-9385

by the following method or methods as indicated:

- ☒ by **mailing** to said person(s) a true copy thereof, said copy placed in a sealed envelope, postage prepaid and addressed to said person(s) at the last known address for said person(s) as shown above, and deposited in the post office at Portland, Oregon, on the date set forth above.
- ☐ by causing a true copy thereof to be **hand delivered** to said person(s) at the last known address for said person(s) as shown above, on the date set forth above.
- ☐ by mailing via **certified mail, return receipt requested**, to said person(s) a true copy thereof, said copy placed in a sealed envelope, postage prepaid and addressed to said person(s) at the last known address for said person(s) as shown above, and deposited in the post office at Portland, Oregon, on the date set forth above.
- ☐ by **facsimile** to said person(s) a true copy thereof at the facsimile number shown above, which is the last known facsimile number for said person(s) on the date set forth above. A copy of the confirmation report is attached hereto.
- ☐ by **emailing** to said person(s) a true copy thereof at the email address shown above, which is the last known email address for said person(s) on the date set forth above.

DATED this 17th day of March, 2025.

JENNY M. MADKOUR COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

/s/ Andrew T. Weiner

Andrew T. Weiner, OSB No. 115485  
Senior Assistant County Attorney  
*Of Attorneys for Defendants*